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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,082	08/20/2004	Serafino Bueti	BUR920040065US1	5081
44024	7590	05/24/2006	EXAMINER	
DOWNS RACHLIN MARTIN PLLC			MULLEN, THOMAS J	
199 MAIN ST			ART UNIT	
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BURLINGTON, VT 05402-0190			2612	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,082

Applicant(s)

BUETI ET AL.

Examiner

Thomas J. Mullen, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-10,12-14 and 18-20 is/are allowed.
- 6) ☒ Claim(s) 11 and 15 is/are rejected.
- 7) ☒ Claim(s) 3,16 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/20/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

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1. The drawings are objected to because in Fig. 9,

(i) a reference numeral "900" should be added to identify the overall "receiver" shown in the figure, in order to be consistent with the "x00" reference numerals used in the other figures (e.g., 100 in Fig. 1, 600 in Fig. 6, etc.); and

(ii) the graphical drawing symbol used to depict the "amplifier" 935 is inconsistent with the 5-sided drawing symbol used to depict the various other "amplifiers" in the drawings (e.g. 730, 755 and 765 in Fig. 7; 830, 855 and 865 in Fig. 8; and 945 in Fig. 9), see 37 CFR 1.84(n).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informalities:

in paragraph 0007, lines 3-4, "an frequency" should be --a frequency--;

in paragraph 0043, line 1, after "receiver" should be inserted --800--, to be consistent with the use of this reference numeral in Fig. 8 (see 37 CFR 1.84(p)(5));

in paragraph 0044, line 1, after "receiver" should be inserted --900--, to correspond with the addition of this reference numeral to Fig. 9 (see paragraph 1 above); and

in paragraph 0050, reference numeral --1500-- should be inserted in the appropriate place, to be consistent with the use of this reference numeral in Fig. 15.

Appropriate correction is required.

3. Claim 3 is objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 3, line 2, it appears that "synch" should be --sink-- (see paragraph 47 of the specification).

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11, "said communication signal travels across said plurality of microelectronics chips" is indefinite as to whether the communication signal is in fact received by any such chips (and perhaps processed therein, or re-transmitted to a further chip, etc), or is merely being sent between two components on which are physically on opposite sides of the "plurality of...chips".

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by either Allen et al (US 6029199) or Fiorina et al (US 5477091).

Note in Allen et al (Figs. 1A-1B) , DC power distribution network 34, which is part of a "power distribution subunit" 14 (col. 3, lines 39-47); multiple computing "subunits" or "nodes" 2, each having a CPU 4; and switching subunit 38, which is a "high speed data communications network" for passing data between computing nodes 2 via the power distribution network (col. 3, lines 48-53). Thus, any of the computing nodes 2 may be a "transmitter" and any other of the computing nodes 2 may be a "receiver", for respectively sending and receiving "communication signals" to/from the power distribution network.

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Note in Fiorina et al (Figs. 1-3 and 9), DC power distribution network 2,3 (col. 2, lines 41-57); a central module 1 having a controller 17; multiple terminal modules (4,5,6,etc.), each having a controller 19; and bidirectional communication bus 12, which "connects the central module 1 to each of the terminal modules" (col. 3, last 3 lines) and "enables data communication between the various modules" (Abstract). In the Fig. 9 embodiment, communication bus 12 is omitted (relative to Fig. 1) since "the data to be transmitted (is) superposed on the DC current in the distribution (network) 2,3" (col. 4, lines 28-33). Thus, either the central module 1, or any of the terminal modules 4-6, may be a "transmitter" and other of the modules may be a "receiver", for respectively sending and receiving "communication signals" to/from the power distribution network.

8. Claims 16-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-2, 4-10, 12-14 and 18-20 are allowed.

Claims 3 and 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and/or the objection(s) under 37 CFR 1.75(a), set forth in this Office action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The art cited by applicant has been considered. Gregor et al (US 6335494) and Gauthier et al (US 6781355) are cited to further show the state of the art.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM


THOMAS MULLEN
PRIMARY EXAMINER
AU 2612